



1. Purpose

- 1.1. This policy is to set forth the process for supervisors to address unacceptable conduct or behavior. Failure to meet work-related job performance should be addressed under the Employee Performance Management Policy or the At-will Policy depending on the individual circumstances of each situation and the nature and extent of correction that is needed.

2. Scope

- 2.1. This policy will be used by all supervisors when the supervisor feels that the unacceptable behavior can be corrected.

3. At-Will Employee Policy Statement

- 3.1. In accordance with State of Utah law, all Tooele Technical College employees are at-will employees. At-will employees may be suspended, demoted or terminated with or without cause.

4. Resignations

- 4.1. Employees who intend to resign will provide their immediate supervisor(s) at least two-weeks written notice.

5. Policy

- 5.1. When employee conduct or behavior violates a policy or rule or otherwise fails to meet acceptable conduct or behavior. The College will utilize a system of progressive discipline designed to modify and offer an opportunity to correct the unacceptable behavior. However, there may be some instances where a higher level of discipline, or even termination of employment may result, based on the severity and circumstances of a situation.

6. Progressive Discipline Procedure

- 6.1. A majority of issues should be adequately addressed at the informal stage by a supervisor having a conversation to discuss concerns with an employee. However, in the event an informal conversation is unsuccessful in resolving the concerns or if an informal conversation is inappropriate, progressive discipline consistent with this policy should follow.
- 6.2. Supervisors are responsible for initiating the progressive discipline process and play a critical role in administering discipline in a fair and consistent manner. However, if the circumstance is severe enough to warrant termination of employment, the respective Vice President is responsible for making this determination. The deciding authority must have a full understanding of the facts and circumstances before assessing appropriate discipline. The seriousness of the offense and the employee's disciplinary and performance history should be considered when determining the level of discipline to be applied.

6.2.1. Step 1 – Verbal Warning

- 6.2.1.1. The purpose of a verbal warning is to clarify policies, rules and expectations. The impact of the incident or violation should also be taken into consideration as should similar prior occurrences in the attempt to treat similar situations consistently.

6.2.2. Step 2 – Written Warning

- 6.2.2.1. If the conduct addressed by a verbal warning is repeated or if new violations occur, the employee may be issued a written warning. However, it is also possible that a single incident may warrant a written warning based on the seriousness or severity of the situation or termination.
- 6.2.2.2. If a determination is made that a formal written warning is appropriate, the supervisor may prepare a written warning, which includes, at a minimum, a description of the unacceptable conduct, and an outline of future expectations.
- 6.2.2.3. A copy of the written warning shall be maintained by the Human Resources Department.

6.2.3. Step 3 – Final Warning

- 6.2.3.1. If the conduct addressed in the written warning is repeated or if new violations or problems occur, discipline may progress to a final written warning. However, a single incident may be so severe as to merit an immediate final written warning or termination.
- 6.2.3.2. A similar investigation/assessment process as set forth in the written warning section above will be followed. In some instances, a suspension from work, with or without pay, may accompany a final written warning.
- 6.2.3.3. A copy of the written warning and the final written warning shall be maintained by the Human Resources Department.

6.2.4. Step 4 – Termination of Employment

- 6.2.4.1. Employment may be terminated if progressive discipline has been exhausted and problems persist or based on the severity of a single incident.
- 6.2.4.2. Decisions to terminate an employee may include seeking advice from the State of Utah's Division of Risk Management and the College's assigned Attorney from the office of the Utah Attorney General as directed by the Human Resource Office.
- 6.2.4.3. The facts and circumstances of each situation will determine what action, up to and including termination of employment, is appropriate. The respective Vice President is authorized to decide on the termination of their assigned employees; however, to help maintain consistency in how employees are treated across departments and employee classifications, another Vice President must review the rationale behind the decision to terminate the employee and agree that the decision to terminate is being made in harmony with this policy.
- 6.2.4.4. The President is solely responsible for making management and disciplinary decisions for employees who are assigned to him or her.

7. Appeals and Grievances:

- 7.1. Full-time employees who feel they were wrongly terminated may file a grievance in accordance to the Employee Complaints and Grievance Policy.
- 7.2. Vice Presidents are exempt from the Employee Complaints and Grievance Policy.
- 7.3. Questions regarding this policy should be directed to the Human Resources Office.